

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
1301 Young Street, Room 833
Dallas, Texas 75202



Division of Survey and Certification, Region VI

April 15, 2008

Ms. Erin Rabalais, R.N., Director
Health Standards Section
Department of Health and Hospitals
500 Laurel Street, Suite 100
Baton Rouge, LA 70801

Dear Ms. Rabalais:

This letter confirms our conversations regarding **prioritization of initial Medicare certification surveys based on instructions in the fiscal year (FY) 2008 CMS Survey and Certification Mission and Priority Document (M+P)**. Longstanding CMS policy makes complaint investigations, recertification and core infrastructure work for existing Medicare providers a higher priority compared with certification of new Medicare providers. CMS directs States to prioritize federal survey functions in four priority "Tiers." Tier 1 consists of statutory mandates, such as surveys of existing nursing homes and home health agencies plus complaint investigations triaged as a high potential for immediate jeopardy. Tier II includes complaint investigations, the surveying of a 10% targeted sample of end stage renal disease centers and a 5% sample of all remaining provider types which have been identified by CMS as facilities with the most risk of providing poor care. Tier III includes any additional surveys performed based on state judgment regarding the agencies that are most at risk of quality problems. Tier 4 consists of other important work, but work that is considered reasonable to accomplish ONLY if higher priority functions can be accomplished within the federal budget limitations. **Thus, initial surveys for all provider types must not be done unless all higher tier work will be accomplished in accordance with regulatory and statutory timeframes within the fiscal year.**

The CMS Regional Office expects the Louisiana State Survey Agency to fully abide by this prioritization requirement and use the M+P document instructions and S&C-08-03 to set priorities for scheduling currently pending and future initial Medicare certification surveys for all provider types. These instructions apply to Medicare certification surveys and do not prohibit the State from conducting licensure only surveys.

If you have any questions, please contact Judy Purdy at (214) 767-6345 or judy.purdy@cms.hhs.gov.

Sincerely,

Diane Murphy
Acting Associate Regional Administrator
Division of Survey Certification